

REMARKS

Claims 1-8 and 15-23 stand rejected under 35 USC 112, first paragraph for failure of the specification to provide

a) enablement for the prevention of dysfunction, damage and/or injuries to organs, tissues and/or cells by administering 2,3-alkylcarbonyloxybenzoic acid;

b) enablement for treatment of all dysfunctions, damage and/or injuries to organs, tissues, and/or cells with all 2,3-alkylcarbonyloxybenzoic acids;

c) enablement of ischemia/reperfusion with 2,3-diacetoxybenzoic acid.

Claims 18-23 stand rejected under 35 USC 112, second paragraph for indefiniteness as merely reciting a use without any active positive steps showing how the use is practiced and 35 USC 101 as setting forth a claim which is not a proper process claim.

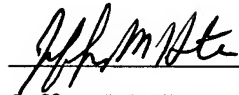
Based on the above described rejections, and based on the statement in the office action that Claims 1-8 and 15-23 are free of the art, it appears that claims directed to a method for treating dysfunction, damage and/or injuries to organs, tissues and/or cells in human subjects with an effective therapeutic amount of 2,3-diacetoxybenzoic acid should be patentable. Applicant has therefore added claims with such limitations in an attempt to put the application in condition for allowance. No new matter is being added in the revised claims.

Applicant believes that the above claims as revised should be in compliance with requirements of 35 USC 112, and 35 USC 101, and, as they are free of the art, should be in condition for allowance.

Applicant respectfully requests a two month extension of time. A check for the petition fee of \$225 is enclosed herewith.

Should the Examiner wish to discuss this case with Applicant's attorney, Applicant's attorney can be reached at the phone numbers listed below.

Respectfully submitted,



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I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 29 July 2007.